

LIBERTY AND EQUALITY FOR

OUR REPUBLIC — LIBERTY AND JUSTICE UNDER THE LAWS — FOUNDED ON LAW.

# ORATION

DELIVERED BEFORE THE

City Council and Citizens of Boston,

IN THE BOSTON THEATRE,

ON THE

ONE HUNDRED AND FIFTH ANNIVERSARY OF THE DECLARATION  
OF AMERICAN INDEPENDENCE,

JULY 4, 1881.

BY

GEORGE WASHINGTON WARREN.



Boston:

PRINTED BY ORDER OF THE CITY COUNCIL.  
MDCCCLXXXI.

INDEPENDENCE OF THE U.S. CVI.

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## CITY OF BOSTON.

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IN BOARD OF ALDERMEN, July 5, 1881.

*Resolved*, That the thanks of the City Council be presented to the HON. G. WASHINGTON WARREN, for the very interesting Oration delivered by him before the Municipal authorities of Boston on the One Hundred and Fifth Anniversary of the Declaration of American Independence, and that he be requested to furnish a copy for publication.

Passed. Sent down for concurrence.

HUGH O'BRIEN,  
*Chairman.*

IN COMMON COUNCIL, July 7, 1881.

Concurred.

ANDREW J. BAILEY,  
*President.*

Approved July 8, 1881.

FREDERICK O. PRINCE,  
*Mayor.*

R E P L Y .

*To His Honor* FREDERICK O. PRINCE, *Mayor, and the  
Gentlemen of the City Council of Boston:—*

In response to your courteous Resolution, I respectfully forward for your disposal a copy of my Oration, which was fully prepared during the latter part of last month; the few changes occasioned by the horrid attempt, on the 2d inst., to murder the President of the United States, being marked to be printed in *Italics*.

I only wish that the treatment of my theme had been more powerful, and the moral of the history and basis of our Republic more distinctly set forth; for among other lessons this can be drawn, that assassination and mob-rule can nowhere be the successful means of obtaining LIBERTY, which, indeed, can only be secured by a system of measures not repugnant to the Divine Law. May our beloved country ever continue to be an illustrious example of this principle.

I have the honor to be, gentlemen,

Your obedient servant,

G. WASHINGTON WARREN.

Boston, July 11, 1881.

ORDER OF EXERCISES  
AT THE  
BOSTON THEATRE,  
JULY 4, 1881.



HIS HONOR MAYOR PRINCE, PRESIDING.

1. OVERTURE. Morning, Noon and Night . . . . . *Suppe*  
BOSTON CADET BAND, J. Thomas Baldwin, Conductor.

2. PRAYER.  
By Rev. CHARLES FOLLEN LEE.

3. MUSIC. To Thee, O Country . . . . . *Eichberg*

4. READING OF THE DECLARATION OF INDEPENDENCE.  
By Master GEORGE READ NUTTER.

5. ODE.  
Sung by the QUARTETTE OF THE FIRST CHURCH IN BOSTON.\*

6. ORATION.  
By GEORGE WASHINGTON WARREN.

7. BENEDICTION.

8. MUSIC. . . . . *Audran*

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\*Miss Annie Louise Gage, soprano; Mrs. Jennie M. Noyes, contralto; Mr. W. H. Fessenden, tenor; Mr. Clarence E. Hay, bass. The music composed by the late Elisha T. Coolidge, and arranged for the quartette by Mr. Arthur Foote.







The civic exercises in observance of the Fourth of July took place in the Boston Theatre at 10 o'clock.

After an overture by the Boston Cadet Band, Rev. CHARLES FOLLEN LEE, pastor of the First Universalist Church, Charlestown District, offered prayer as follows:—

#### PRAYER.

Almighty God, our heavenly Father, we look up to Thee as the source whence all our blessings flow, and praise Thee for Thy wonderful works unto the children of men. We believe that Thou reignest in heaven and on earth, and that our times are in Thy hand. Full of gratitude, then, for Thy loving favor, we rejoice in Thy mercies to us and to all men, although our hearts are heavy with a great national sorrow, and thank Thee for the numberless blessings which Thou hast showered upon us. We praise Thee that Thou hast endowed us with rational souls, and vouchsafed unto us the high privilege of calling

ourselves Thy children. We thank Thee for the religion of Jesus Christ and for the comfort which it gives us in days of trouble and sorrow. We thank Thee for our beloved country and the various institutions which make it so dear to our hearts. We glorify Thy name, that Thou didst guide our fathers over the sea and establish them on these shores; that Thou wast with them in the time of peril and need, and madest them to prevail in their struggle to be free, and that during all these years since our nation was founded Thou hast watched over and blessed this land, making it so prosperous and great.

But, O God, we are sensible of our ignorance and weakness; we can do nothing without Thee; and therefore, confessing our sins both private and public, and asking Thy forgiveness, we beseech Thee for the continuance of Thy favor. O God, be pleased to hear the prayers of Thy people as they pray for the life of the Chief Magistrate of this nation. Spare him in his extremity, that he may still rule over us. Comfort Thou his family — his aged mother, his devoted wife, and his sorrowful children. Grant that their strength may be sufficient unto the hour of their trial. And if Thou takest him away in the flower of his manhood and the fulness of his fame, may we be able to bow in submission, and say, Thy will be done. Bless Thou the people of these United States. May ours ever be a free country, a Christian country, — one whose God is the Lord. Soften, we pray Thee, the asperities of sectional and party strife. May there be no North, no South, no East, and no West,

but may the land be united in fraternity and love. May we remember that Thou hast made us bone of one bone, and flesh of one flesh, and that what Thou hast joined together man should not put asunder. Save us, good Lord, from war, violence, privy conspiracy, sedition, and pestilence, and may the years to come be more glorious and peaceful than those which are past. May Thy favor be with the Governor of this Commonwealth, with the Mayor of this city, and with all who are placed over us in authority. May they discharge their duties in all fidelity. Bless him who is to speak to us, and endue him with grace from on high. Bless the whole world, and hasten the time when all men shall enjoy the blessings of peace and freedom. Imploring Thee that Thou wilt be with us throughout this day, which may have so much sorrow for us and for our country, we ascribe to Thee all might and glory in the name of the great Liberator of the ages. Amen.

The Declaration of Independence was then read by Master GEORGE READ NUTTER, of the graduating class of the Boston Latin School.

HIS HONOR THE MAYOR then said: "The quartette from the First Church will now sing an Ode, composed by the distinguished orator of the day, and sung fifty years ago, on the celebration of the Anniversary of American Independence, July 4th, 1831, at New Bedford."

## O D E .

Survey the wide-spread land,  
 And tell us where on earth  
 There may be found a better band,  
 Of more ennobling birth,  
 Than they who breathe this liberal air,  
 And all its blessed influence share.

We pass the joyous days  
 In liberty and love;  
 As free-born men, we lead our ways  
 Stern slavery above :  
 Each can enjoy his lawful own,  
 His private thoughts, his social home.

No royal hand points out  
 The way that we shall go ;  
 Oppression here builds no redoubt,  
 In guise of friend or foe :  
 But Freedom's soul, and Freedom's might,  
 Commands our land, — upholds our right.

'Tis Liberty's own soil ;  
 Our fathers made it free  
 From savage waste, from foreign spoil,  
 A patriot land to be ;  
 They hither fled in peace to live,  
 Here fought their sons that boon to give.

In stubborn strife 'gainst wrong,  
 Our blessings they secured ;  
 Through troubled times, through labors long,  
 They faithfully endured,  
 Ere they could firmly fix their stand,  
 And form a fair, unfettered band.

Praise be their well-earned meed,  
 The praise of free-born souls ;  
 As long as fame of lofty deed  
 Down years unnumbered rolls,  
 America ! for thee is won  
 Glory by many a noble son.

For those who struggle now,  
Far, far beyond the sea,  
God of our land! to Thee we bow,  
Oh! grant them victory;  
Give them the spirit of our sires,  
To strive for right till life expires.

When the Ode was sung, the Orator of the day, Hon. GEORGE WASHINGTON WARREN, was introduced by His Honor the Mayor, with a preface, in the following words: —

FELLOW CITIZENS, — This Anniversary of American Independence, — this national holiday, — which should be an occasion of national joy and exultation, has become one of national sorrow and grief. All our millions of every section — north, south, east, west — are alike anxious and distressed, for any moment may bring the news of the death of our President, who, as you all know, has been struck down by a wretch whom, for the enormity of his unprovoked and wanton crime, we might almost call a demon. He has not only assailed the Chief Magistrate of the country; but, through him, the whole American people, for the President, after an election, no longer represents a party, but becomes the exponent and executive of the whole nation.

Our sympathies for the distinguished sufferer are too tender and deep for indulgence in those festivities which have hitherto marked the observance of the day. They induce humiliation and prayer; they incite us to invoke the Divine intercession that the life of our President may be spared to us, and, that in some

way, good may come to this afflicted people out of this terrible evil.

As I know how anxiously you watch for the latest news from Washington, I have arranged that any bulletins which may come during the exercises shall be brought here, and I will announce them as they are received. [Immense applause.]

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NOTE. — Soon after the delivery of the Oration was begun, it was interrupted to permit the Mayor to read the gratifying despatch, to the effect, that the President's symptoms were declared to be more favorable, and that one of the attending physicians who before had been doubtful of the result, now expressed confidence in his ultimate recovery. This announcement was received by the large audience with loud and prolonged cheering; after which the oration was listened to with close attention.

## ORATION.



IT is, indeed, Mr. Mayor, a high honor to stand in the line of the orators of Boston, and voice the common sentiment which this occasion inspires. THE UNITED STATES OF AMERICA rejoices in her One Hundred and Fifth Anniversary, worthy to be commemorated by all her people throughout her extended domain. As when in the time of some great national crisis the assembled multitude await anxiously the result, and the good news comes at last, a spontaneous shout is raised, and all join hands, strangers, friends, the estranged, alike; so on this return of Independence day, all political and personal animosities subside in the general joy which fills the air we breathe. Even while just now listening to the long historic list of grievances set forth in the Immortal Declaration, so eloquently read to-day, — an ever-appropriate part of the celebration, — we feel no resentment towards the memory of King George the Third; for we bear in mind his reception of John



Adams, as our first minister-plenipotentiary to his court, in June, 1785. "I was the last," said the king, in concluding his reply to Mr. Adams' address, "to consent to the separation; but the separation having been made, and having become inevitable, I have always said, as I say now, that I would be the first to meet the friendship of the United States as an independent power;" and such, for the most part, has been the feeling of his successors of his own blood on the British throne to this hour. And always in Queen Victoria's cosmopolitan capital, — bear witness the memory of George Peabody, — in charming Paris, and in all the principal cities of continental Europe, of the great Orient also, as well as of the isles of the sea, — wherever two or three Americans are brought together, there is this day well remembered, *and there to-day is a fervent prayer offered that the life of the President may be preserved.* The boundless Ocean, *as yet unconscious of this great shock on Earth*, amid its incessant roar, hears now the resounding cannon, numbering the stars of our great republic, as our ships ride the billowy waves, streaming in their holiday attire and playing the inspiring notes of our national airs. No other country under heaven has so stamped on the world's calendar for the past century, and for



centuries to come, its distinctive day, like our own gladsome and glorious Fourth of July.

Boston, which did so much towards the making of the day, has been the most constant of all in its patriotic commemoration. Beginning in 1783, before the treaty of peace with the mother-country, there have been, including the present, under the auspices of the municipal authorities, ninety-nine celebrations. No gap has been made by foreign war or civil discord, by adverse times or party feuds; whatever clouds have flitted across the sky, she has cast aside all gloom, and, robing herself in the flag of her country, she has hailed this day of jubilee with signal tokens of rejoicing. On this day she makes all her children happy, and in seeing their smiles and sports we all are young again.

Let us picture to ourselves the scene of the proclamation of the Declaration of Independence, in Boston, on the 18th of July, 1776. The news of the event must have reached Boston several days before; but it took a fortnight in those slow-moving times before the full text of the precious document could arrive and due notice of its proclamation be made. It was not read at the head of the army in New York till the 9th of July. The Town House — which we now call the Old

State House — was not then connected with the web of wires in the basement and roof, stretching through the air to such then unknown cities as Chicago, Cincinnati, Washington, and San Francisco, like a harp's thousand strings, whose play now electrifies a continent. The king's arms were the most conspicuous thing on the building. The day appointed was Thursday, immediately after the Thursday Lecture at the First Church, nearly opposite, on the site where is to be the new Rogers Building. As they came out from the lecture, which probably had some reference to the great event, whether it was preached by Dr. Chauncy, or one of his brother ministers, the people took position in King's street, as it was then called, where two regiments and a detachment of artillery were already posted in lines. The people had flocked in also from the neighboring towns. The Council Chamber was crowded with the councillors, representatives, magistrates, ministers, and distinguished citizens. It was just four months and a day since the British troops had evacuated the town, with the American loyalists, who had not given up the hope to return to their homes, under the old regime reëstablished. Washington had withdrawn the main part of his army. Imagine the feelings of suspense and agitation with which that

assembly heard that Declaration read by Col. Crafts from the eastern balcony, as distinctly and feelingly as we have heard it read to-day. The words were then new; they were eagerly caught up and sank deep to the heart of the listening crowd: those new and noble ideas, the equality of birth, their right to liberty, self-government, the throwing off their allegiance upon justifiable cause fully set forth, and, more than all, the solemn determination of the United Colonies, taking the new name of the United States of America, that they would stand together and henceforth before the world be an independent nation, — these made them feel intensely the importance and the glory of the act that had been performed. When the reading was finished, James Bowdoin, President of the Council, afterwards Governor, cries out: "God bless the American States!" Salvoes of thirteen guns were fired from Fort Hill, the Castle, Dorchester Neck, Nantasket, and Point Allerton, and from the shipping in the harbor. Then the artillery, and, lastly, the regiments in the street, fired in separate detachments thirteen volleys, — making that number an historic number to all Americans. The king's arms were taken from the building, and every semblance of royal authority disappeared. Boston, with its whole neighborhood,

felt then as joyous and as confident as she does to-day, that she was no uncommon part of the new American Union. With every century the interest of association attached to that building will increase. Friends of liberty from other countries will demand to see it. Let any who please tear down the houses where they were born and build greater, — but let this stand forever.

A few years since there arose a controversy among eminent historic writers as to the church from which the signal lanterns were displayed, by the order of Paul Revere, on the night of the 18th of April, 1775, to warn the country of the march of the British troops to Lexington and Concord, — whether it was the tower of the existing Christ Church in Salem street, or that of the Old North Meeting-house on North square, long since demolished. By a fair preponderance of testimony, as well as by well-supported tradition, it has been settled in favor of the former, where a tablet with a felicitous inscription has been placed by the City Council. But we trust the day will never come when there shall be any doubt or question as to where was the Old South meeting-house; but that it will be in its place, an ever-present memorial. Standing in the very heart of the city's great thoroughfare named after the Father of his Country, on the spot where Winthrop lived and Franklin was

baptized, with its tower fortunately projecting into the sidewalk so that, as we approach it from the south, we have a fine monumental appearance, with steeple, spire and dial, the cherished familiar object from childhood to age, it is, in fact, the best-preserved memorial building in its identity which Boston or Massachusetts can show. It seems strange now to be told that, in the eloquent, fiery days of the Revolution, whenever there was an overcrowded meeting at Faneuil Hall, it would be adjourned to the "Old South," the use of which was always kindly granted by the patriotic society to whom it belonged. But, at that time, Faneuil Hall was but half of its present size, it having since been made eighty instead of forty feet wide. Hence, the Old South became in truth the people's meeting-house on great and solemn occasions.

Those walls and the ceiling have enclosed always the same space; within them yet linger the slumbering echoes of the undying speech of our fathers. Preserved by Providence from the awful conflagration of 1872, and rescued by a fortunate chain of events from being torn down by human hands when the venerable society established their new house of worship in the newly-inhabited part of the town, it will be cherished by posterity with the grateful remembrance of the patriotic voluntary Association,

sustained chiefly by woman's aid and efforts, which now labors to save it for them. Should it be needed, the City Council might well invest a portion of the large rents, expected from the proposed lease of the Old State House, in the large mortgage which remains to be lifted. When the thirty years from 1876 shall expire,—during which it was thought necessary to impose a restriction forbidding the use of the building on Sundays or for religious purposes,—whoever shall first perform before the next generation the religious rites in this consecrated building might begin with the words of the Psalmist, "Praise WAITETH for Thee, O God, in Zion, and unto Thee shall the vow be performed."

His Excellency Governor LONG, in his classic address delivered on Memorial Day, our new legal holiday, enumerated the monuments and statues which already adorn this city and vicinity in commemoration of great events and great men, with high commendation of their lofty purpose. Since then the late anniversary of the Battle of Bunker Hill, which ought also to be a legal holiday, was signally celebrated by the inauguration of the statue of Col. WILLIAM PRESCOTT, whose renown has been consummated in this long-delayed testimonial by the transcendent merit of the sculptor and the orator, who both joined in bringing his heroic form back to



Bunker Hill. The scene recalled the memorable occasion, twenty-four years ago, when Everett was with us to present on the same immortal field the marble image of the thrice-buried martyr of the Revolution. The Bunker Hill Monument, at whose base these statues stand, is the greatest prize of Boston in the annexations which have added to her importance. As we approach the Charlestown District, on entering either of the bridges which span the mouth of the Charles, we can behold the whole majestic obelisk with its grand proportions tapering to the sky. But this magnificent view is given over very valuable private property, and may at any time be intercepted. On entering Charlestown, the object, which presents so fine an appearance from afar, becomes more and more obscured the nearer we come to it. Its natural effect, indeed, is lost, and so a great part of the patriotic design of the former generation in erecting it is almost frustrated by its being covered with a cluster of surrounding buildings upon the circuitous streets. It should be the immediate aim of the city to open up a direct avenue to its grandeur, so that, uncovered, it may crown the peninsula which was baptized in the fire of the Revolution, and that "labor may look up to it and be proud in the midst of its toil."

The City of Boston, in its extended territory, its

increase of population and wealth, its enterprise and culture, may be said to be typical of the growth and prosperity of the United States. The annual expenditures of the city, for which treasury warrants are drawn by Your Honor, are as large as were those of the nation under the administration of Washington. The postage receipts collected by our excellent postmaster, Mr. Tobey, exceed those which were annually paid to Samuel Osgood, of Massachusetts, the first Postmaster-General. It may be added, also, with equal municipal and national pride, that the financial credit of each to-day stands as high as that of any nation or municipality in the world. In its government also, Boston, like our other cities, is a miniature republic. In fact, in City, State, and Nation, there is precisely the same uniform system of administration. This combined movement may be likened to the three hands of a clock, each revolving in its regular round. The second-hand has no occasion to say to the minute-hand, nor has the latter to say to the hour-hand, "Keep within your own limits and do not crowd upon me;" for they are so constituted that they move each in its own appropriate sphere, but keeping time together, and together marking the progress of the age.

If, however, there should be a popular apprehension that the sessions of the Legislature, or of Con-



gress, are too long, and if a called special session of either should cause some anxiety, the reverse would be the case should the City Council suspend their sessions for three or four months. The municipal care and protection come so near to our own homes and daily wants, that their constant watch is desired; while the Congress and the Legislature having the power to change the general laws, affecting all transactions of business, keep the community on the stretch of anxiety until their sessions are over. It is thought that the omission to call a special session of Congress at this time, to provide for the payment of bonds falling due in the interim, the Treasury Department having wisely secured a voluntary agreement for their extension, at the reduced rate of interest, gave the country as much relief as, reckoned in money, would equal the amount of interest saved on that part of the national loan, which has been extended at the pleasure of the government. The special session of the Senate, necessary to a new administration, seems to have been sufficient.

In the beginning of the republic, the old thirteen States which joined in the Declaration of Independence formed new State Constitutions, setting aside their Royal Charters, being so advised by the Continental Congress. Nine States adopted theirs in 1776, New York in 1777, and Massachusetts in 1780.

That of the latter was, in some respects, of a superior order, and became a model for that of the United States, formed seven years afterward.

Its well-defined demarcation of the three coördinate branches of the government, the executive, legislative and judicial; the tenure of judges during good behavior; the provisions for the University at Cambridge, and for the general encouragement of learning; its Bill of Rights, adhering to and developing the principles of the Declaration of Independence — gave to Massachusetts substantially the same form of government she now has. Franklin was consulted in the framework; Hancock, Bowdoin, Samuel Adams, and many other Boston men, assisted in putting it together; for then, as now, her leading men became also prominent, in turn, in the councils of the State and the Nation.

There was great dissatisfaction in the latter days of the colonial government, because the King's ministers proposed to fix and pay the salaries of the Royal Governors and Judges, in order that they might become more subservient to the mandates of the Crown. In framing the State Constitution, therefore, the fathers of Massachusetts intended that these important officers should be made as independent, in their position and circumstances, as the lot of humanity would permit, — so that there might always

be not only good laws, but an impartial interpretation and a faithful execution of them, "that every man may, at all times, find his security in them." In the dark days of 1780, when the national independence had not been fully achieved, the great war pending, the people's resources being limited and the times straitened, this was the wonderful and wise foundation laid for the permanence and prosperity of the State: —

As the public good requires that the governor should not be under the undue influence of any of the members of the general court, by a dependence on them for his support, — that he should, in all cases, act with freedom for the benefit of the public, — that he should not have his attention necessarily diverted from that object to his private concerns, — and that he should maintain the dignity of the Commonwealth in the character of its chief magistrate, — it is necessary that he should have an honorable stated salary, of a fixed and permanent value, amply sufficient for those purposes, and established by standing laws: and it shall be among the first acts of the general court, after the commencement of this constitution, to establish such salary by law accordingly.

Permanent and honorable salaries shall also be established by law for the justices of the supreme judicial court.

And if it shall be found, that any of the salaries aforesaid, so established, are insufficient, they shall, from time to time, be enlarged, as the general court shall judge proper.

It will be seen that it was designed that the future governors should have, as a matter of constitutional right, an honorable support from the public treasury, for themselves and their families, whether they had

ample private resources, or whether, like Samuel Adams, they were poor. In either case they were to be enabled to maintain, in their living, the dignity of the Commonwealth. It was not intended that the Legislature, with the assent or at the suggestion of the governor for the time being, should reduce the salary below the constitutional standard; but it is ever bound from time to time to inquire as to the salaries paid to officers in other administrative offices, and as to the expenses of maintaining a family in the capital in a manner befitting this high office, and then to raise the governor's salary to that point without regard to the means of the incumbent. The ablest man, though poor, was not to decline to serve.

A look at the statue of Governor Winthrop, in his elegant costume, gives some idea of the stress and importance placed upon official dignity when he landed here, bringing the royal charter. Though fashions have since changed, the new demands of our day call for increased expenditure in honorable living of another character.

In 1859, it was proposed by Governor Banks that the Commonwealth should purchase the sightly residence where Governor Hancock lived, which might be set apart for the executive mansion; but the opportunity passed, and can never be recalled.

The Supreme Judicial Court was, at that time, the only State court, and therefore it was named in the constitution; it continued to perform all the judicial duties above those of the county magistrates and justices' courts for forty years. In 1820, the Court of Common Pleas was established, upon which was devolved concurrent jurisdiction over the most part of the business of the Supreme Court. This continued until 1859, when the present Superior Court was established. In this view it would seem that these latter courts were within the meaning of this constitutional provision, as they were successively created to discharge duties which had been assigned to the Supreme Court, and that consequently their salaries should be enlarged from time to time when circumstances required, but never reduced. At any rate the reduction of the salaries of judges appointed during good behavior would seem to be a breach of an implied contract on behalf of the State.

It is well known that the executive has often found it difficult to supply the places in all these courts, as they became vacant. Many would decline the honor, in the feeling that their duty to their families forbade their relinquishing a lucrative profession for the bench, the emoluments of which would scarcely afford a present livelihood. Several of those who did accept the position, through the solicitation of friends,

felt obliged, after a time, to abandon it, from the inadequate remuneration. Of the whole number of judges who have deceased, not half died in office. Those who continued on the bench and gave their whole life, from the time of their appointment, to this high service, did it at great personal sacrifice. But that rate of compensation which does not secure the desired permanency of the judiciary in office, cannot be said to be adequate or honorable.

Mr. Webster, while engaged in an important cause before Mr. Justice Allen, in the Court of Common Pleas, — afterwards Chief Justice of the Superior Court, — said, in reference to him, "I have the highest respect for any man who will faithfully perform the duties of a judge; and the people are hardly aware how much they are indebted for their security and prosperity to an impartial administration of the laws." All observers and thinkers will agree in this opinion. The judges hold up, and the longer in the same hands the surer, the scales of justice between man and man, and between the State and the accused. They enunciate the principles upon which the wheels of business and social order move; they are the recourse of conflicting parties, and the guide of the active world. In their quiet and regular round of laborious service they attract but little popular attention compared



with those who are in more conspicuous places. The courts of justice are like the unnoticed fountains and hidden springs which supply the streams which, flowing in every direction, invigorate the soil and cause the earth to put forth its increase. During the last hundred years no stain has been cast upon the judicial ermine of our State courts; nor scarcely a breath of suspicion, or a suggestion of bias or intentional error. It must be confessed that they have certainly on their part come up to the constitutional requirement in this regard, so that the subject has obtained "right and justice freely, and without being obliged to purchase it; completely, and without any denial; promptly, and without delay, conformably to the laws." Let the people see to it that their obligation is fully performed on the part of the State. The judicial branch, both in the State and the Nation, is the weakest part in the government, because it must rely, under the Constitution, on the Legislature for its organization and liberal support; but it imparts to the State the requisite moral strength and security.

The Court of Common Pleas and Superior Court have furnished judges to the Supreme Judicial Court, while the latter has given Governors to the Commonwealth and cabinet officers to

the Nation, and its decisions are referred to as high authority in the courts of the United States and Great Britain.

Great respect is ever shown by the people in attendance before the State Courts, and before local magistrates. This is not constrained, but comes as a voluntary tribute to the majesty of the law. Instances are rare, indeed, when punishments are imposed for contempt of court.

A judge of one of the Boston courts, being in London, was one day invited by the Lord Mayor to sit with him in his court. "In what costume does Your Worship sit in your court?" inquired the Lord Mayor, who was fairly disguised in his overhanging wig and flowing gown and other trappings, so that the person could not have recognized him afterwards in his ordinary attire. "The same I now wear," was the reply. "And how is your authority respected?" he asked, in surprise. "Precisely as here in Your Worship's court," was the answer. The Lord Mayor was astonished; for, by the customs and traditions of his country, he seemed to rely upon his big wig and gown for his authority, rather than upon his office. The people before him probably thought as he did about it, having been brought up to honor the showy insignia more than the magistrate.



Not only in Massachusetts, but throughout our whole country also, there is uncommon respect paid to the authority of law. In the courts of the United States, and of the several States, though variously constituted, justice has been as well administered as in any other part of the globe. The decisions of these tribunals on important and novel issues have added lustre to the great science of jurisprudence. It is this universal acquiescence in the courts on the part of the executive and legislative branches of the national and State governments, as well as on the part of the people, making these tribunals the great and final arbiter between all contending parties, that has made our beloved America preëminently the land of liberty. For in social communities there can be no certain liberty where there is not a fair interpretation and administration of the law.

This feeling of loyal submission originates with us in the family, and is carried on in the school, in the church, and in divers philanthropic organizations which spring up as circumstances demand. As the seed is caught up in the air and deposited and grown in other fields far beyond, so the heaven-born principles of law and order are disseminated from region to region until the whole land is overspread.

In our early history serious apprehensions were felt about the acquisition of Florida, of Louisiana, and, later, of Texas; but the result proved so beneficial and natural, that California and New Mexico were afterwards added without opposition, and even with a joyous welcome, and our law and its free institutions spread over them all, as waters cover the sea.

So it has come to pass that this natural growth and consolidation proved too coherent for disintegration. As the municipalities make up the States, so the States, with vast territories for future States, compose, not a Federal Union in the sense of a temporary copartnership to be dissolved at pleasure, but one grand, indissoluble Nation. This has been decided by that awful and stupendous trial, before the world as spectator, that last resort of kings and of peoples, — alas! that it should ever have been found necessary — the trial by battle — waged upon the unfortunate metaphysical southern heresy, that we were one people, and yet somehow we were not one people. But, in the nature of things, the result could not have been different. God and nature have bound and knit us together. Our national government, superinduced, in some form, years before the Declaration of Independence, to repel a common danger, working ever since

harmoniously with the governments of States and of cities and towns, all guided by well-adapted and constantly developing principles of municipal and constitutional law, like as the veins and arteries, the muscles and sinews compose the human system, appears at last one herculean body politic, with its scars of a war in its members cured, and its arms extending from sea to sea, willing to receive all loyal accessions, and able to defend itself against all aggressors.

Montesquieu, in his "De L'Esprit des Lois," says, "If a republic is small, it is destroyed by a foreign power; if it is large, it is destroyed by internal disorder." This celebrated work first appeared in 1748, and at that time history may have well borne out his assertion. But since then the rise, growth, and recent self-preservation of our republic have disproved it utterly.

Were there time it would be well to glance at the great amelioration of the law during the century. The common law of England, the growth of many centuries, still stands with us, except when repealed or modified. The statutes of this Commonwealth, now undergoing a third revision, form a body of laws so distinct, clear, and comprehensible, that he who runs may read, and perhaps the guilty who read may wish to run.

There remains one little phrase, however, which smacks of the barbarism of the feudal ages. Perhaps there are no other half-dozen words in the English language so stern and cruel as those which appear in our writs of attachment of estates: "For want thereof take the body." Although the provisions of our law for imprisonment for debt have been much ameliorated, still they impose cumbrous conditions upon the honest, unfortunate poor. That odious phrase should be expunged from civil proceedings, leaving to the criminal courts to punish fraudulent practices. In the main, however, our laws, in their wisdom, humanity and adaptability to the complex affairs of our time, are not inferior to those of the most enlightened nations.

Our fathers founded the incipient republic upon the rock of the Christian religion. They brought with them the Bible, which had been recently translated by a commission appointed by James I., and had not long been in common use. For many years in Massachusetts the support of religious worship was provided for at the town meeting; and by its constitution every one's estate was taxed therefor, the citizen having the right to designate the religious society to whose benefit his tax should accrue. So our State con-

stitution stood in this regard until forty-eight years ago, when, in November, 1833, Article XI. of the Amendments was substituted, which, recognizing public worship and religious instruction as promoting "the happiness and prosperity of a people and the security of a republican government," absolved the citizen from his legal obligation to contribute thereto. This change in our fundamental law was regarded with great alarm. It could not have received general favor from the preceding generation, who were justly shocked at the spread of infidelity and its train of evils in France during her revolution. But, adopted when it was, after a long continuance of the people in the conservative course of religious instruction enforced by law, and after the successful experiment of the growing republic for more than half a century in the harmonious co-working of the national, state, and municipal systems, its consequences have not been detrimental. The amount voluntarily paid for the support of public worship has been much larger than any tax that could have been levied; while money has been most freely contributed for the preaching of the Gospel in the newly settled parts of the country.

An ultra tendency has lately been manifested

in the opposite direction. Instead of the State authorizing a tax for the support of the Church in its various sects, according to the views of the citizens, it has been proposed to levy a tax upon all the property held by the Church for religious uses for the support of the State. This has been urged by two very different classes,—one frankly declaring that they do not believe in religious worship and ordinances, and that they ought not indirectly, even, to the least appreciable extent, to be taxed on its account; and the other class, belonging to those denominations whose houses of worship and other property do not come up to the average standard in cost, and whose proportionate part of this proposed tax would be so small that it would be an advantage to their private estates if it were levied. Such a tax would be wrong in principle, and would conflict with the spirit of the constitution as it is. All, in fact, that the State grants an immunity upon is the land on which the church buildings and other property stand; all that is built or placed upon it comes, or is to come when paid for, as a voluntary offering from devoted citizens. Tax them for this, and one high resource for art and æsthetic culture would be cut off. Besides, it would be rendering tribute to the State



for what is not the State's, but is dedicated to God.

The great event of the time, in its moral aspects, is the appearance of the new version of the New Testament, under the auspices of various denominations in England and America. This is an admission that the vernacular text of the old version is not infallible. It, therefore, should supply a rule of conduct as to the use of the Bible in the public schools throughout our country. The late Bishop Fitzpatrick, whose learning, piety and zeal for republican principles we all knew, in a published letter on this head, explained the views of those of his belief as to the alleged inaccuracies of the old version. Other sects allege other inaccuracies, which they say endanger the muniments of their respective creeds. When we bear in mind that Jesus Christ, in promulgating his gospel on earth, gave his instruction orally, not having been known to write or dictate a word; that he inculcated the spirit of the idea, and not the written letter; that he consolidated — so to speak reverently — the Decalogue and the whole moral law into two Commandments, which any child can remember, — the supreme love of God, and the love of one's neighbor as one's self, — telling afterwards, in the parable of the Good Samaritan, what he meant by neighbor, — it would seem that,

under the concession which this new version implies, by common consent throughout our country, the reading of all disputed original texts, and all controverted translations of passages upon which denominations divide, should be omitted in the school-room.

It is the paramount interest of the whole church and of the republic that there should be a co-education of all the children in the public schools, established on the most liberal foundations, so that the rising generations may be saved from the horrors of scepticism, and that the miserable fashion of unbelief shall not cast its blight on the flower and promise of the land. For it is Christianity which has ever given a tone and character to our laws, and these constitute the essential framework and being of the republic.

Various customs our fathers brought from Mother England. The only popular elections affecting the British government are for members of the House of Commons; the seats in the upper House of Parliament, the House of Lords, as well as the Crown itself, falling by hereditary descent, according to her law of primogeniture. As Parliament may be continued for seven years, these popular elections, so far as the suffrage is extended to the people, are a rare event as compared with us. It is the custom there for candidates to propose themselves to the voters.



and solicit their suffrages; and they generally pay the large election expenses, which are sometimes very heavy, amounting, as it is stated, in certain instances, to a hundred thousand dollars. There being no compensation to a member of Parliament unless he is an officer in the ministry, his motive or reward is fame, great influence, and, perhaps, the hope of obtaining a peerage as a reward for eminent service or useful leadership. For, though in England there is boasted liberty, there is no equality,—it is subordination to rank which constitutes her chief glory.

As our elections are frequent, occurring at stated periods, and the elective offices in the Nation and State are numerous and various, it is obvious that the English system cannot be here continued without much more hazard to our institutions than is experienced in England. If, by consent of all good men, a system could be adopted by which the popular will could be ascertained in the most economical manner, the greatest peril of our time would be averted. For, whether the money employed in the conduct of elections and the influencing the voters be paid out of the public treasury or from private means, it is a drain upon the resources of the people; and if the expenditure be wrongful or extravagant it is equally a waste, as well as a source of demoralization.

There would be a great saving in one large item — the printing of the ballots — if that were by law required to be done by the State or municipal officers at the public expense, they being required to furnish the ballots called for by the committee of any known party organization. All abduction or destruction of such tickets should be punished by suitable penalties.

Another item of cost of our elections is the rallying or getting the voters out. One would suppose that citizens generally would so highly value their privilege that they would go to the so-called meetings of their own accord, and would not need to be got out at others' expense. They should be, like jurors, required by law to vote, as town officers were required to serve unless excused.

In former times there were real town-meetings where there was a discussion and transaction of business after debate, and at the same time the voting for elective officers. But now, especially in cities, the citizens are called to meet at their precincts, on no other business except simply to deposit their ballots, which are afterwards required to be sealed up in a box and sent with the return to the examining board.

It would save much trouble to the voter, if, when served with the notice of the election, he

had also sent to him, in proper legalized form, a stamped envelope, in which he might send his vote by mail, with his signature and exact home address, to the Board of Registrars. These votes might be numbered and put on permanent file, or bound in volumes; their authenticity, if disputed, could be readily verified at any time, and there could be no mistake in the count. In France the voter signs his name at the registration, and he signs the vote he gives. Voting in this manner would be a domestic and a more deliberate act, if every voter endorsed his vote, while at the same time his independence would be assured, as no one would outrage public sentiment by punishing an independent voter.

In the English universities, which have the right to send one or more members to the House of Commons, the constituents are scattered all over the country and the world. So they send by mail powers of attorney, duly verified, authorizing some one at the polls to cast the vote therein designated for them. Of course they might as well be allowed to send their votes direct to the officers appointed to receive them.

The graduates of Harvard University qualified to vote for overseers send to the standing committee their nominations over their own signature by

letter, — a superior method to that of the Caucus. It would be an improvement if, at the real election, they could vote in this way, as there would always be a fuller expression of the voice of the electors, the vote by mail being about twice as large as the legal vote.

We claim the right to know how our representatives vote in the deliberative assembly. We have an equal interest to know for whom our fellow-citizens vote, as it is, or should be, the common desire of us all to elect the best and fittest men. Open voting, or the backing of the vote, would give a manly independence to the citizen and a safeguard to the public.

The archæologist of the twenty-first century, in studying the character of this present generation by its statutes, in coming upon "An Act to aid in the preservation of order in elections," passed in 1881, will be at loss to know the reason for it, until he shall look back two years, when he will conclude that he has found the explanation, — that the statute of 1881 required the voting-places to be kept cleanly and orderly, free from smoking and drinking, in order to prepare for the advent of women at the polls, to look after the control of our public schools. The extension of female suffrage lies in the logic of

events, and is only a question of time. There have been from the earliest ages female sovereigns, who have well maintained the honor of their government and promoted the prosperity of their people. If one were asked to select the three most brilliant reigns of England, those of Queens Elizabeth, Anne and Victoria would be named, embracing a period already of one hundred years. The law, keeping pace in the last century with the progress of civilization, has ameliorated the civil condition of women. The married can now hold and manage their separate property, carry on business in their own names, hold offices, as well as single women. They all now vote in churches and business corporations. The high schools, colleges, and collegiate courses, the professions,—in part as a beginning,—and numerous employments for which men compete, are opening to them. They have become authors, astronomers, educators, and trustees of prison, charity, and school boards. In all these capacities they have elevated the character and improved the general condition of society. In all countries under monarchical, and even autocratic governments, they have a certain influence, more or less extensive, in directing public sentiment. In republics, where the will of the people is the maker of

law, they influentially assist in moulding public opinion. As a logical necessity, they will, in the natural order of events, be permitted to join in the making of the law. The standard of the law and of public office will be made higher by their participation, as the queens who have been named gave a higher tone and cast to the manners and modes of their times. Queen Victoria proved none the less an excellent wife and mother, nor has she failed in any of the qualities that adorn those domestic relations, nor has she exerted any less powerful influence in society, for having so long wielded the sceptre with such queenly grace and judgment. If, indeed, our civil war had broken out in the reign of George IV. or William IV. the probabilities are that either of those kings would have made a treaty of friendship and alliance with the Southern Confederacy, which would have protracted its horrors and postponed the day of the supremacy of the republic. But the Queen's moral sentiments forbade her giving aid and comfort to the effort to found a new government on the corner-stone of slavery.

The growth of our republican system follows the order of nature, — first the blade, then the ear, then the full corn in the ear. The political power was given to the men gradually, as here in Massachusetts,



first to church-members, then to freeholders, then to owners of certain personal estate, and, lastly, to poll-tax payers with the educational qualification. Hereafter it will extend to women, more or less gradually, until the full fruit is reached; until at last the republic, like a pyramid, with its base resting upon the united voice of the whole people, without distinction of sex, can never be overturned.

A theory has been formed as a reason against female suffrage — founding government on physical force; and as men supply all the force in defending or maintaining the country, they alone, it is urged, should vote. In other words, that bullets and ballots should go together. But this will not hold. In the first place it would strike out that portion of the voting class who are non-combatants, and not subject to a draft. Again, no war could be sustained that had not the sympathy and moral support of the women to a considerable extent, and that did not receive their material aid in preparing the clothing, and in caring for the sick and wounded. But the state of war is not our normal condition, and while the women do their proper share in war by their care in the camp and hospital, and performing men's work at home, in peace they match the men in maintaining the social order and well-being of the community. It is not true, however, that the govern-



ment of a republic is founded on force any more than the public school is founded on the rod. Such a republic would be a house divided against itself, and could not stand. Our republic is founded upon an organic law, to which the people have given their consent as the best they could frame, and under which they make such needful laws as they think are best calculated to establish liberty and equality.

If the public voting precincts be maintained, they will be more orderly by the presence of women. But by making voting a domestic act, to be done at home, the adults of the family consulting, there will be a more deliberate, more general, more independent, more authoritative and incorrupt expression of the popular will. The practical tact and talent of our people in affairs will lead them to adapt their laws to the wants of the times, and so get rid of impending dangers.

Make voting compulsory, and, at the same time, as convenient as possible; forbid, by stringent law, or what should serve as well, by a sound public opinion, all candidates from contributing money to aid their own election, or from promising preferment in advance to their followers; let all the legitimate election expenses be paid from the public treasury; compensate all official service liberally, as becometh a great and prosperous people, and with

the usual choice of good officers, our triplex republican system will go on continually like the clock lubricated with the finest oil, and, like that faithful monitor, will prove to be the most perfect and useful instrument which human ingenuity can devise.

When Lafayette — whose prominent part taken in the surrender of Yorktown will be eloquently told at the coming centennial anniversary by the Nation's selected orator and our first citizen — assisted in the laying of the corner-stone of yonder monument, he gave at the festival of the day, on the call of President Webster, this sentiment: "Bunker Hill, and the holy resistance to oppression which has already enfranchised the American hemisphere. The next half century's jubilee toast shall be, To Enfranchised Europe." The year 1875 did see France a republic for a third time, and, let us hope, forever established.

But five years after he gave that sentiment, on the expulsion of Charles X. from the throne, a deputation of citizens waited upon him, to offer him, not the presidency of a republic, but the old, giddy crown with which the French were still dazed as inseparable from their idea of glory. He replied, quoting the answer given by the brave but illiterate Marshal de Saxe, upon an offer of a seat in the Academy: "*Cela m'irait comme une bague à un*

*chat.*" It is stated by M. Jules Cloquet, in his souvenirs of Lafayette's private life, that after this event an English gentleman came over by post from London to Paris to see him, and as soon as he had paid his visit he departed. Some of his countrymen there desired him to tarry with them, but he declined their solicitations, telling them, "I wished to see a man who has refused a crown. I have seen him and return satisfied."

Lafayette was brought up in the school and the family of Washington, for whom he felt the highest veneration, and after whom he named his only son, who accompanied him in his tour of triumph in the United States. When asked who he considered was the greatest man of the age, he replied, Washington. And why? "Because he was the most virtuous." He considered goodness the essential part of greatness, whether applied to the individual or the state. He was conscious, in 1830, that France was not prepared for a republic. She had yet to be surfeited with royal and imperial splendor, and put in peril by the outrages of the commune. But he did what he could to impart order to a constitutional monarchy checked by a popular representation. He set on foot many schemes for the moral instruction and the useful education of the people, which have continued in successful operation.

He loved our country as his own, and was proud of her success. He expressed a wish to be buried in some of our earth. At his funeral, therefore, amid the tears of France, there was the solemn ceremony of putting together the precious earth brought for the purpose from our classic fields and his own native soil, to surround and guard his immortal clay and noble heart. It would seem that France should henceforth remain a republic under the guidance of her brightest star; and may the time come when Lafayette shall be seen amongst us in marble or in bronze, by the side of Webster, or of Everett, his incomparable eulogist, to inspire our people still more with "the love of liberty protected by law."

Our neighboring sister, the republic of Mexico, has showed a strong desire to reciprocate our friendly offices in the moral support by which she was enabled to throw off the imperial yoke which ill-suited her institutions. The Monroe doctrine, at Secretary Seward's suggestion, had potent power to induce Louis Napoleon to recall his troops, which had no business in Mexico. She has now a stable republican government, and she looks forward to a glorious future. Inviting most cordially our capital and enterprise in establishing the modern modes of communication, and promoting reciprocal trade and commerce, she will take the commanding position to

which her resources and her awakened genius will entitle her.

An atrocious crime recently committed, which smote the head of a great and most friendly nation, recalls to our mind a like enormity in the murder of President Lincoln. It is a remarkable coincidence of this age, that the rulers of two mighty nations, who had both reached the climax of its progress in the emancipation of the slaves and serfs in their respective countries, should be the victims of foul and most ungrateful assassination. The untimely death of Alexander II. touches the American heart with peculiar sensibility, because there has been a long and traditional friendship manifested towards the United States on the part of Russia. During the war of 1812, — of which there is scarcely a survivor, Charles Hudson, of Lexington, an old and time-honored public servant, and the brave Colonel Aspinwall, having deceased, and the old Association, of which they were the noted leaders, being dissolved in the course of nature, — Alexander I. offered to England his friendly services as arbiter. When our civil war broke out, and France, our old ally, seemed inclined to side against us, and our mother England was doubtful, Prince Gortchakoff, by command of his imperial chief, in an eloquent dispatch asserted the importance of the integrity of the United States being

preserved. When our relations with England became more critical, from the capture of the Trent, and of Mason and Slidell, and a third war seemed imminent, the late czar sent his fleet to winter in our harbors. We all gratefully remember the moral effect of that timely demonstration, and the peculiar and touching reception given by Boston to Admiral Lessofsky and his brave sailors. Our ties were still drawn more close together by the treaty for the purchase of Alaska, our last great possession, carrying the sovereignty of our flag to the confines of Asia. When an unsuccessful attempt had been before made on the czar's life, Congress passed a solemn resolution of congratulation upon his escape, and the government sent a prominent officer, Captain Fox, Assistant Secretary of the Navy, in a national ship, to bear the more than friendly message. But now Alexander II. wears, with Lincoln, the martyr's crown! If his awful fate were the result of a secret permanent organization, the world should cry out against it all the more bitterly, and the press everywhere should denounce it as a foul conspiracy against the civilization of the age. It is no way to reform existing wrongs by committing the foulest wrong. If this be its natural fruit, Nihilism should itself be annihilated. Not so our fathers achieved their immortal glory. If they had so plotted, we would not have known this happy day.



Their proceedings were open and under duly recognized forms and legal rules. The records of our Continental Congress, and we may say the same of the provincial and town records, were authentic and regular as those of the British Parliament at that time. The commission of Washington as commander-in-chief was made out in as due and solemn a form as was that of General Howe. The example of the United States to the world during its birth and illustrious life is that of a republic acquiring and maintaining liberty under the certain safeguards and sanctions of law. Liberty, to be permanent, must ever be founded on that law which emanates from the Supreme.

It might not be a vain chimera to hope that, under Providence, the great mission of the United States of America is the promotion of international peace. Occupying a commanding continental position in the New World, with all the experiences and none of the hereditary hindrances of the Old, she has the golden opportunity to aid in the spread of that gospel of peace and good-will which Christ appeared on earth to proclaim. Mindful of the injunction of Washington, "In peace prepare for war;" admitting to the full the efficiency of military discipline and trained subordination, which can all be utilized in the



organization and uniforming of police forces, fire brigades, the crews of great steamers and ships, the employés of all railroads, and even of schools and colleges, with the measured tread and martial music, and with or without the gun, as you please, —for all that, the destructive element of flagrant war may be eliminated as a factor in settling grave issues between nations. International harmony may be maintained by high courts of arbitration established by international law. In horrid war law does not prevail. *Inter arma silent leges.* War squanders what peace has laid up in store. It puts a heavy mortgage on the labors and resources of posterity. A series of aggressive wars would leave the ship of the republic to drift into the gulf of despotism.

If, thirty-one years ago, the people north and south, east and west, had been in a temper to listen dispassionately to that Seventh of March Speech, on which Mr. Webster said he would be willing to stake his fame with posterity, which he dedicated to the people of Massachusetts with the motto: —

. . . Vera pro gratis. . . . Vellem equidem vobis placere: sed multo malo vos salvos esse qualicumque erga me animo futuri estis, —

and wherein, with his broad forecast, he demon-

strated the utter impossibility of a peaceable secession, — “Your eyes,” said he, “will never behold that miracle;” and wherein also he laid down for basis of settlement a proposition to surrender the whole domain of the public lands of the United States, with the proceeds of what had been already sold, in the interest of the South, for freeing and transporting their slaves, as they should approve; if madness had not ruled the hour so soon after the great statesman passed from mortal view, when the long compromises of law were disregarded, and the Southern States took up arms against their own in the vain hope to make a better country; if the cool reason and law-abiding faith of the fathers of 1776 could have resumed its sway, — the civil war might not have been, but gradual emancipation might have been effected in the order of Providence, with less loss of treasure, and without the letting of a drop of fraternal blood.

Oh, if the nations of the Old World would only follow our example, and would all agree gradually to disarm, until they brought their respective armies to our present standard of twenty-five thousand men to fifty millions of people, the Earth herself, that now supports millions of men in the useless habiliments of war, would rejoice to see

by far the greater part remanded to the cultivation of her soil, or to the mechanical arts of industry and skill!

General Taylor, afterwards President, was known to possess the strongest convictions upon the horrors of war, and to have determined to resign his commission when he received the order of his government to march his army into Mexico, which he felt he was in honor bound to obey. Charles Sumner dedicated in youth his life to the promotion of peace, and after the overthrow of slavery he resumed his labors in peaceful reconstruction.

That modest Captain of our country's salvation, when he dictated those humane terms at the great surrender, giving them "their horses to take home to plough," with abundant rations; when, in acceding to the presidency, he declared, "Let us have peace;" and, cutting the Gordian knot of the entangled diplomacy, by yielding the claim of inflamed damages against Great Britain, on which all the public men had so much insisted, on account of the acknowledgment of the Southern belligerency, — a point which, under the same circumstances, he would claim for his government, and would concede to Great Britain, — he thus averted war by arbitration; and again, when in his re-

nowned tour around the world — a greater triumph than any Roman conqueror ever had with all his royal captives in his train — he announced that he desired to see no brilliant military reviews in his honor, reminding him of war, but preferred to learn their civil institutions and the nations' progress in the arts; and when in the Oriental World he sought to bring the differing governments of China and Japan in accord, — he achieved splendid victories of peace, no less renowned than his unmatched victories in war.

There is honor always for the brave soldier who dies for his country. But those who spend their days and nights in developing the arts of peace, and showing the world how to profit by them, are entitled to equal gratitude. The time will come when the humble names of William Ladd the founder, and of George C. Beckwith the benefactor, of the American Peace Society, which has already done so much recently, under the lead of the late James B. Miles, in establishing peace conventions and international code committees holding their annual meetings in different cities in the Old World, will be held in grateful remembrance. There have been many glorious examples of the beneficence of peace, whose names we can readily recall: John Lowell, Junior, who, dying at the age of thirty-

seven, liberally endowed the Lowell Institute, — the best system of diffusing knowledge that had been conceived; Edward Everett, our greater than Tully, whose whole unspotted life was one continuous outflow of eloquence in honor of patriotism and learning; George Peabody, whose truly original benefactions in his lifetime, conspicuous in London, and scattered all over his native land, have, as any single one of them would have, made his name immortal; Horace Mann and Barnas Sears, the inspiring leaders in Popular Education; Amos Lawrence, who for many years stopped the accumulation of his earthly possessions, and, laying up treasures in heaven, went about doing good; Lemuel Shaw, the peer of any lord chancellor England ever had, who was the very embodiment of law, in its learning and application to the smallest concerns and to the widest principles; Nathan Hale, who was the pattern of an editor, and taught the press how to impart the most varied information and most profound views without stirring strife; Thomas H. Perkins, who gave sight to the blind; Samuel G. Howe, the early friend of Greece, and the educator of such helpless unfortunates as Laura Bridgman; Louis Agassiz, who, declining the imperial invitation, and having, as he said, no time to make money, watched patiently the process of life in the

animal kingdom, and taught a generation of teachers how to observe and instruct; Josiah Quincy and Theodore Lyman, two of Boston's noblest among her line of noble mayors; the three Appletons, Nathan, Samuel and William, great manufacturers, but greater benefactors; Benjamin Peirce, who idealized the highest attainable knowledge, and became familiar with the heavens before he was translated thither, — these who have all lived amongst us, and many, many other kindred spirits, who with them now star the skies, were our American peace-makers, and will be called the blessed sons of God.

Mr. Mayor, there is one kind of artistic commemoration of which Italy has both ancient and modern examples, that has not been adopted in our country in a distinct, permanent structure, but often is seen in a temporary form on a holiday like this. Paris on her finest avenue shows *L'Arc de Triomphe*. As we would have Boston in truth a monumental city, let the suggestion heretofore made be carried out, and before the series of centennial anniversaries of events connected with our early national history shall terminate, let us erect on our broad avenue an ARCH OF PEACE, which, seen across the sky by light of day, or of the moon and stars, shall stand as an ever-



lasting pledge of THE UNION, and of peace and friendship with all the world, like that bow of promise, with which, when the storm subsides and the sun again appears through the clearing showers, our heavenly Father spans the heavens in gorgeous beauty in token of his ever-abiding love.

The preamble of the Constitution of the Union should be ever kept in view as our *Multum in Parvo*, our greater than the Magna Charta of England: —

We, the people of the United States, in order to form a more perfect union, ESTABLISH JUSTICE, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this CONSTITUTION FOR THE UNITED STATES OF AMERICA.

To establish justice was, in the opinion of the people of the United States, to lay the cornerstone of their republic. President Jefferson said, in his first inaugural address, delivered when party spirit ran higher and exhibited more rancor and political strife than it has ever since, so that Federalists and Republicans thought it necessary to have separate celebrations of this anniversary, "I believe this is the strongest government on earth." So it has proved; for it is that of Liberty and Equality, founded on Law.



It is the duty and the problem of a life in the republic to keep up to the high requirements of American citizenship. Are there any of our countrymen abroad living in idle extravagance, the by-word of American prodigality, abusing their country and its government? Let them take shame to themselves in season, lest in a few fleeting years they reap, for harvest, the swinish husks of their neglected field. Their country can spare them better than they can afford to stifle the noble aspirations which should attach them to their native land.

It is said we have no loyalty. It is hoped we may never be infatuated with pageantry and pomp. But we have shown ourselves loyal to great ideas and noble principles, and the women or the men, who live as best exponents of these, will never be without honor, even in their own country. *The real spring of loyalty is the National heart, and the world hears ours beat to-day, in throbbing anguish and filial love.*

The true test of a nation, and of an individual, is how to bear defeat. The republic has had its griefs as well as its glories. The monuments around us attest how often the nation has been called to mourn. One of our poetesses has said:—

The seed will spring up which is watered by tears.

The tears which were shed over the graves of Washington, and of Lincoln, and of many illustrious statesmen and patriots in each generation; over the graves of those who died in defence of their country, — yes, even of those who, under a false education, were brought up to love their section better and fought against their country, but whom she has quite forgiven, in the joy of reunion, — these flowing together in sympathetic sorrow have drenched the American soil, and nurtured the Tree of Liberty, so that its roots and tendrils seek the earth's centre, and its massive growth rises and spreads out to the clouds, giving shelter to the whole republic, amid the song of birds that lodge and sport in its ever green branches.

Ladies and Gentlemen, Members of the City Council, fellow-citizens all, — as we shall break up this patriotic assembly, and passing in the bright sunlight shall behold our own love and pride of country mirrored in the faces that fill our streets and beautiful squares, *tinged with the shadow of the overhanging cloud*, let us bear home this lesson of the hour. In grateful return for our priceless and equal heritage, the highest service we can render is a good and useful life. However humble our lot and station, we may adorn it with that fidelity in little things, which by Divine law leads to rulership over many. As we

turn the crank of daily toil, or of professional or official labor, we will keep the candle of the spirit lighted, to brighten the inner, higher life. We will search our First Centennial Volume, and will strive to imitate the many great examples it contains, and we will not withhold the admiration due to the patriotic labors of the living, nor will we indulge in the dangerous spirit of detraction. Let us inspire those around us, with all the magnetic power that comes from earnestness, with an abiding Faith in God, a sure and steadfast Hope for our Country, and with Love for the Universal Neighborhood. And may those of our blood and kin, mingling with congenial elements, and forming ever a homogeneous race, celebrate the return of Independence Day from generation to generation, till Time shall be no more.

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